

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

CHRISTOPHER A. RUSSELL, Plaintiff, vs. CANYON VIEW TITLE INSURANCE AGENCY, Defendant.	MEMORANDUM DECISION AND ORDER DENYING PLAINTIFF'S MOTION FOR ENTRY OF JUDGMENT AS MOOT Case No. 2:08-CV-808 TS
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Plaintiff moved for entry of judgment by default based on Defendant's failure to comply with the Local Rules requiring that it obtain new counsel because such failure blocked the case from proceeding. On January 7, 2010, the Court entered an Order that Defendant comply by January 26, 2010, or face sanctions up to and including entry of judgment. Entry of appearance was made by Defendants' new counsel on January 27, 2010, one date past the deadline. The Court finds that there has been substantial compliance with the Order. Because Defendant now has counsel and the case may proceed, the Court will deny Plaintiff's motion. However, Defendant is warned that any


further failure to comply with its duties as litigant in this Court or with orders of this Court will result in sanctions.

Counsel are reminded that under the Magistrate Judge' Order of October 8, 2010, they are to submit a proposed stipulated scheduling order to said Magistrate Judge. It is therefore

ORDERED that Plaintiff's Motion for Entry of Judgment by Default (Docket No. 24) is DENIED AS MOOT.

DATED February 11, 2010.

BY THE COURT:



TED STEWART
United States District Judge